

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Enouch J. Kermue,

Petitioner,

v.

Case No. 2:20-cv-3745

Crim. No. 2:15-cr-127

Judge Michael H. Watson

Magistrate Judge Chelsey M. Vascura

United States of America,

Respondent.

ORDER

On August 3, 2020, the Magistrate Judge issued a Report and Recommendation (“R&R”) pursuant to Rule 4 of the Rules Governing Section 2255 Proceedings recommending that the Motion to Vacate be dismissed as untimely. ECF No. 453. Although the parties were advised of the right to file objections to the R&R, and of the consequences of failing to do so, no objections have been filed. The R&R, ECF No. 453, is **ADOPTED** and **AFFIRMED**. The Motion to Vacate under 28 U.S.C. § 2255, ECF No. 452, is **DENIED**, and this action is hereby **DISMISSED**.

Petitioner has waived the right to appeal by failing to file objections. See *Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). The Court therefore **DECLINES** to issue a certificate of appealability.

Petitioner’s Motion to Appoint Counsel, ECF Bi, 454, is **DENIED**.

IT IS SO ORDERED.

/s/ Michael H. Watson

MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT